

IN THE UNITED STATES AND TRADEMARK OFFICE

In re Application of:
Meissner et al.

Docket No.: PF200D1C1

Application No.: Not Yet Assigned

Filed: Concurrently Herewith

Art Unit: N/A

For: Human Criptin Growth Factor

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of the claims of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to the references AA-AO listed on the attached Form PTO/SB/08.

A copy of reference AA on Form PTO/SB/08 is attached. Copies of references AB-AO were submitted by Applicants or cited by the Examiner in connection with U.S. Application Serial No. 08/471,371, filed June 6, 1995 and U.S. Application Serial No. 09/393,023, filed September 9, 1999 to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the files of U.S. Application Serial Nos. 08/471,371 and 08/393,023 for copies of references AB-AO.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:1, and the corresponding cDNA clone of this application, are related to SEQ ID NO:40780 in copending U.S. Application Serial No. 09/912,292, filed July 26, 2001. A legible copy of that portion of U.S. Application Serial No. 09/912,292, which caused it to be listed on the attached revised form PTO/SB/08 is submitted herewith as reference AA. Applicant's note that none of the above recited sequences are claimed in U.S. Application Serial No. 09/912,292.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

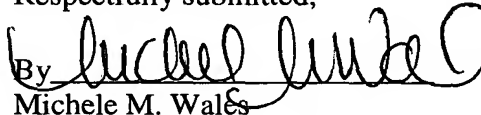
Applicants respectfully request that the Examiner review the listed references and that the references be made of record in the file history of the application.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Since this Information Disclosure Statement is being submitted before the mailing date of the first Office Action on the merits, no fee is believed to be due. However, if the and Trademark Office determines otherwise, please charge the required fee to Human Genome Science, Inc., deposit account no. 08-3425.

Dated: Sept 22, 2003

Respectfully submitted,

By 
Michele M. Wales

Registration No.: 43,975
HUMAN GENOME SCIENCES, INC.
9410 Key West Avenue
Rockville, Maryland 20850
(301) 610-5772

Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	Not Yet Assigned
				Filing Date	Concurrently Herewith
				First Named Inventor	Paul S. Meissner
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	1	of	1	Attorney Docket Number	PF200D1C1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-09/912,292	NOT PUBLISHED	Rosen et al.	Pages 1-75 (pages 1& 2 partially redacted); portion of Table 2; and SEQ ID NOs:40780
	AB	5,264,557	11-23-1993	Salomon et al.	
	AC	5,766,923	05-15-1995	Kirschner et al.	
	AD	5,688,936	05-14-1993	Edwards et al.	
	AE	5,256,643	10-26-1993	Persico et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	AF	WO-96/39420-A1	12-12-1996	Human Genome Sciences, Inc.		
	AG	WO-96/03499-A1	02-08-1996	President and Fellows of Harvard College		
	AH	WO-96/35708-A1	11-14-1996	The Johns Hopkins University School of Medicine		
	AI	EP-0298723-A1	01-11-1989	Biotechnology Research Associates		
	AJ	WO-01/77322-A1	10-18-2001	Merck Patent GMBH		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		T ²
	AK	DONO et al., "Isolation and Characterization of the CRIPTO Autosomal Gene and Its X-Linked Related Sequence," Am. J. Hum. Genet., 49:555-565, (1991).		
	AL	CICCOCICOLA et al., "Molecular cloning of a gene of the 'EGF family' expressed in undifferentiated human NTERA2 teratocarcinoma cells," EMBO J. 8(7):1987-1991, (1989).		
	AM	LERNER, R.A., "Antibodies of predetermined specificity in biology and medicine," Adv. Immunol., 36:1-44, (1984).		
	AN	SEN, S., "Aneuploidy and cancer", Current Opinion in Oncology, 12:82-88, (2000).		
	AO	CLARK et al., "The potential role for prolactin-inducible protein (PIP) as a marker of human breast cancer micrometastasis." Brj. J. Cancer. 81(6):1002-1008. (1999).		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--